

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X  
YURMAN STUDIO, INC. and YURMAN  
DESIGN, INC.,

Plaintiffs/Counter-Defendants,

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

Defendants/Counter-Plaintiffs.  
----- X  
----- X

Civil Action No. 07-1241 (SAS)(HP)  
(Action No. 1)

CARTIER, a division of RICHEMONT NORTH  
AMERICA, INC., CARTIER INTERNATIONAL,  
N.V., CARTIER CREATION STUDIO, S.A., VAN  
CLEEF & ARPELS S.A., VAN CLEEF &  
ARPELS, INC., VAN CLEEF & ARPELS  
DISTRIBUTION, INC., GUCCI AMERICA, INC.,  
and BULGARI S.p.A.,

Plaintiffs,

- against -

ELENA CASTANEDA and EJEWELER LLC  
d/b/a OVERSTOCKJEWELER.COM,

Defendants.  
----- X

Civil Action No. 07-7862 (SAS)(HP)  
(Action No. 2)

**DECLARATION OF DAVID YURMAN IN SUPPORT OF  
YURMAN STUDIO, INC.'S AND YURMAN DESIGN, INC.'S  
MOTION FOR PARTIAL SUMMARY JUDGMENT**

**EXHIBIT B**



This Certificate issued under the seal of the Copyright Office in accordance with title 17, United States Code, attests that registration has been made for the work identified below. The information on this certificate has been made a part of the Copyright Office records.

*Marybeth Peters*

Register of Copyrights, United States of America

**FORM VA**  
For a Work of the Visual Arts  
UNITED STATES COPYRIGHT OFFICE

VA 785-338  
EFFECTIVE DATE OF REGISTRATION

NOV 21 1996

Month Day Year

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

1

**TITLE OF THIS WORK** ▼

EARRINGS E08190

**NATURE OF THIS WORK** ▼ See Instructions

JEWELRY DESIGN

**PREVIOUS OR ALTERNATIVE TITLES** ▼

**PUBLICATION AS A CONTRIBUTION**  
collective work in which the contribution appeared.

If this work was published as a contribution to a periodical, serial, or collection, give information about the Title of Collective Work ▼

If published in a periodical or serial give:

Volume ▼

Number ▼

Issue Date ▼

On Page ▼

2

**NAME OF AUTHOR** ▼

a DAVID YURMAN

Was this contribution to the work a "work made for hire"?

☐ Yes

☒ No

**AUTHOR'S NATIONALITY OR DOMICILE**

Name of Country

OR Citizen of ▼ U.S.A.

Domiciled in ▼ U.S.A.

**DATES OF BIRTH AND DEATH**

Year Born ▼

Year Died ▼

1942

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous? ☐ Yes ☒ No

Pseudonymous? ☐ Yes ☒ No

If the answer to either of these questions is "Yes," see detailed instructions.

**NATURE OF AUTHORSHIP**

Check appropriate box(es).

See Instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☒ Jewelry design

☐ Architectural work

☐ Design on sheetlike material

**NAME OF AUTHOR** ▼

**DATES OF BIRTH AND DEATH**

Year Born ▼

Year Died ▼

Was this contribution to the work a "work made for hire"?

☐ Yes

☐ No

**AUTHOR'S NATIONALITY OR DOMICILE**

Name of Country

OR Citizen of ▼

Domiciled in ▼

**WAS THIS AUTHOR'S CONTRIBUTION TO THE WORK**

Anonymous? ☐ Yes ☐ No

Pseudonymous? ☐ Yes ☐ No

If the answer to either of these questions is "Yes," see detailed instructions.

**NATURE OF AUTHORSHIP**

Check appropriate box(es).

See Instructions

☐ 3-Dimensional sculpture

☐ Map

☐ Technical drawing

☐ 2-Dimensional artwork

☐ Photograph

☐ Text

☐ Reproduction of work of art

☒ Jewelry design

☐ Architectural work

☐ Design on sheetlike material

3

**YEAR IN WHICH CREATION OF THIS WORK WAS COMPLETED**

1996

This information must be given in all cases.

**DATE AND NATION OF FIRST PUBLICATION OF THIS PARTICULAR WORK**

Complete this information ONLY if this work has been published.

Month ▼ AUGUST

Day ▼ 18

Year ▼ 1996

Nation ▼ U.S.A.

Month

4

**COPYRIGHT CLAIMANT(S)**

Name and address must be given even if the claimant is the same as the author given in space 2. ▼

YURMAN DESIGN INC.  
501 Madison Avenue  
New York, New York 10022

**TRANSFER** If the claimant(s) named here in space 4 is (are) different from the author(s) named in space 2, give a brief statement of how the claimant(s) obtained ownership of the copyright. ▼

Assignment from David Yurman

APPLICATION RECEIVED

NOV 21 1996

ONE DEPOSIT RECEIVED

NOV 21 1996

TWO DEPOSITS RECEIVED

FUNDS RECEIVED

**MORE ON BACK** ▶

• Complete all applicable spaces (numbers 5-9) on the reverse side of this page.  
• See detailed instructions.  
• Sign the form at line 8.

DO NOT WRITE HERE

Page 1 of 2 pages

EXAMINED BY *JS*

FORM VA

CHECKED BY *[Signature]*☐ CORRESPONDENCE  
YesFOR  
COPYRIGHT  
OFFICE  
USE  
ONLY

DO NOT WRITE ABOVE THIS LINE. IF YOU NEED MORE SPACE, USE A SEPARATE CONTINUATION SHEET.

**PREVIOUS REGISTRATION** Has registration for this work, or for an earlier version of this work, already been made in the Copyright Office?☐ Yes ☒ No If your answer is "Yes," why is another registration being sought? (Check appropriate box) ▼a. ☐ This is the first published edition of a work previously registered in unpublished form.b. ☐ This is the first application submitted by this author as copyright claimant.c. ☐ This is a changed version of the work, as shown by space 6 on this application.

If your answer is "Yes," give: Previous Registration Number ▼

Year of Registration ▼

5

**DERIVATIVE WORK OR COMPILATION** Complete both space 6a and 6b for a derivative work; complete only 6b for a compilation.

a. Preexisting Material Identify any preexisting work or works that this work is based on or incorporates. ▼

6

See instructions  
before completing this  
space.

b. Material Added to This Work Give a brief, general statement of the material that has been added to this work and in which copyright is claimed. ▼

**DEPOSIT ACCOUNT** If the registration fee is to be charged to a Deposit Account established in the Copyright Office, give name and number of Account.  
Name ▼ Account Number ▼

7

**CORRESPONDENCE** Give name and address to which correspondence about this application should be sent. Name/Address/Apt./City/State/ZIP ▼

ALEXANDRA D. MALATESTINIC, ESQ.

DARBY &amp; DARBY

805 Third Avenue

New York, New York 10022

Area Code and Telephone Number ▶ (212) 522-7700

Be sure to  
give your  
daytime phone  
number**CERTIFICATION\*** I, the undersigned, hereby certify that I am the  
check only one ▼☐ author☐ other copyright claimant☐ owner of exclusive right(s)☒ authorized agent of Yurman Design Inc.

Name of author or other copyright claimant, or owner of exclusive right(s) ▲

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of the work identified in this application and that the statements made  
by me in this application are correct to the best of my knowledge.

Typed or printed name and date ▼ If this application gives a date of publication in space 3, do not sign and submit it before that date.

ALEXANDRA D. MALATESTINIC

Date ▶ 11/14/96



Handwritten signature (X) ▼

MAIL  
CERTIFI-  
CATE TOCertificate  
will be  
mailed in  
window  
envelopeName ▼  
ALEXANDRA D. MALATESTINIC, ESQ.  
DARBY & DARBYNumber/Street/Apt. ▼  
805 Third AvenueCity/State/ZIP ▼  
New York, New York 10022

## YOU MUST

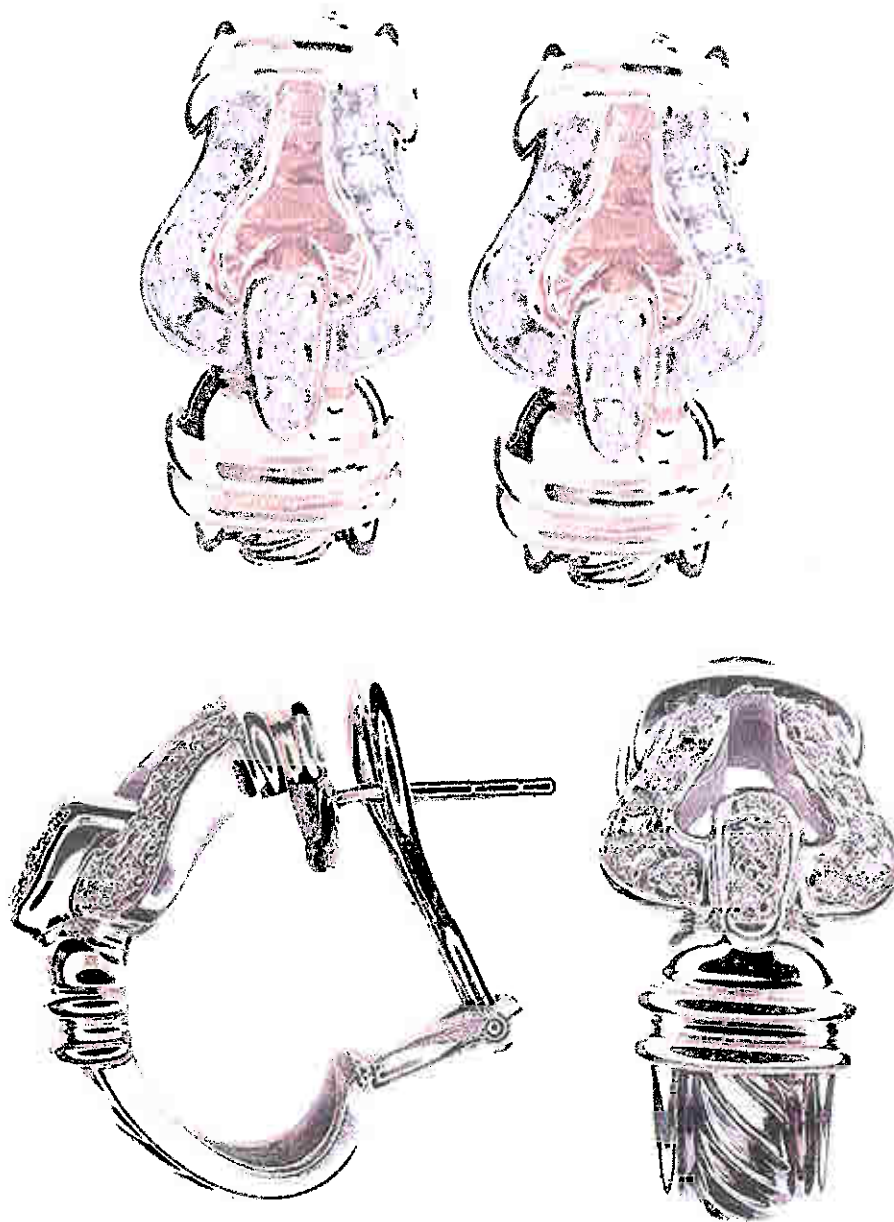
- Complete all necessary spaces.
- Fill your application in space 9.
- SETtle ALL FEES/FEES IN THE SAME ENVELOPE.

1. Application form
2. Nonrefundable \$20 filing fee in check or money order payable to Register of Copyrights
3. Copyright notice

MAIL TO  
Register of Copyrights  
Library of Congress  
Washington, D.C. 20560-0000

9

\*17 U.S.C. section 508(e): Any person who knowingly makes a false representation of a material fact in the application for copyright registration provided for by section 408, or in any written statement filed in connection with the application, shall be fined not more than \$2,500.



**E06190**

**VA 785-338**



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David Yurman Jewelry Inspired Replicas Collection > David Yurman Inspired Pave CZ Open Buckle Ring

## David Yurman Inspired Pave CZ Open Buckle Ring

### FEATURED ITEMS

**Valentine's Day Jewelry**  
**Clearance Sale**

New Arrivals  
Best Sellers  
Celebrity Jewelry

### COLLECTIONS

Tiffany Inspired Jewelry  
David Yurman Inspired Jewelry  
Designer Inspired Jewelry  
Designer Inspired Baby Charms  
Men's Jewelry

### CATEGORIES

Engagement Rings  
Chandelier Earrings  
Bridal Jewelry  
Heart Shaped Jewelry  
Tennis Bracelets & Necklaces  
Chains  
Cufflinks  
Religious Jewelry  
Equestrian Jewelry

### DEPARTMENTS

Watches **NEW!**  
Bracelets  
Necklaces & Pendants  
Earrings  
Rings  
Pins & Brooches  
Ankle Bracelets  
Accessories  
Baby Gifts & Charms  
**Clearance Sale Jewelry**

### MATERIALS

Sterling Silver & CZ  
Gold Jewelry  
Pearls  
Diamond Jewelry  
Gemstone Jewelry  
Turquoise Jewelry



### OTHER VIEWS:

Other views of this item



Click to enlarge

### DESCRIPTION:

This .925 sterling silver ring is made in the style of David Yurman. A 5mm cable forms the ring, and the faux buckle portion is pave-encrusted with real diamond CZs. Gold vermeil detailing on either side of the buckle finishes the ring.

**Measures:** Ring measures 12mm wide, cable is 5mm.  
**Weight:** Weight is 8 grams  
**Material:** .925 Sterling Silver  
**Category:** silver ring

All measurements are approximate. Designer mentioned does not make this item. Please read our **Disclaimer.**

### CUSTOMER REVIEWS:

Tiffany Jewelry Replicas was great! I placed my order easily and just a few days later the package was on my doorstep. I did not have to place any calls to customer service inquiring about my

Availability: **In Stock**

Order Now & Ships: **Fri, Feb 16**

Item #: AF2-CRE064SN

List Price: \$119.99

**Our Price: \$36.99**

Choose size: **6**

[Ring Sizing Chart](#)

[Add to Shopping Bag](#)

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on orders over \$60  
USA East Coast Ground **\$4.50**  
USA Mid West Ground **\$5.50**  
USA West Coast Ground **\$6.75**  
Intl. Shipping is **\$25.** [more info](#)

### Our Bestsellers



**David Yurman Inspired**  
**Replica Carved Cable**  
**Sterling Silver Ring**  
**\$59.99**

### Matching Items



**David Yurman Inspired Tw**  
**Tone Diamond Pave CZ**  
**Carved Cable Set**  
**\$119.99**



**Tiffany Inspired Two-Tone**  
**Equestrian Buckle Bangk**  
**Bracelet**  
**\$49.99**





**David Yurman Inspired 14**  
**Gold & Sterling Silver Two**  
**Tone Carved Heart Pin**  
**\$99.99**



**Bulgari/ Bvlgari Inspired**  
**Circle of Fortune Two Ton**  
**Sterling Silver Earrings**  
**\$44.99**

**The Yurman Copyrighted Designs & The Overstock Jeweler Infringing Products**

U.S. Copyright Reg. No.	Yurman Item / Deposit Material & Item No.	Overstockjeweler.com Item & Item No.
VA 785-338	 <p>E06190</p>	 <p>AF2-CRE064SN</p>